

Sirwaitis, Sherri

From: P. WANG [REDACTED]
Sent: Thursday, September 06, 2007 5:06 PM
To: Sirwaitis, Sherri
Subject: Case no C14-2007-0156

Hi Sherri,

I am a resident living at 8324 Pommel Drive and received a hearing notice from City of Austin regarding a public hearing on rezoning for case no. C14-2007-0156.

As being a owner of a property that is within 300 feet for application of rezoning property, I like to express my concerns -

1. The property on 8322 Spicewoods Spring Road was developed for residential use rather than any mixed purpose based on its lot site. Since it is a residential lot, there are not enough of parking spaces at all if they have many visitors. So their clients seem to have no choice but park their cars on the street on Spicewoods Spring Cove which is the major entrance to our community. Parking on Spicewoods Spring Cove will create lots of danger for residents who live in the community.

- When there is a fire or emergency, those cars parking on Spicewoods Spring Cove will interfere Fire Truck and ambulance with entering into our community as the street was not developed for additional and regular parking.
- School buses or our community residents also enter the commodity via Spicewoods Spring Cove. The additional traffic and parking problem generated from the property at 8322 Spicewoods Spring Road will certainly increase more danger and incidents for our kids and residents. Will the applicant be responsible for any danger or accidents created by them?

2. The applicant mentioned in her letter about the other 2 commercial properties located at 8430 and 8436 Spicewoods Spring Road. Those 2 properties were developed as commercial use with sufficient parking spaces for customers. Even medical offices were developed as a commercial use too.

3. The applicant also mentioned they intend to improve local business environment, increase job opportunities, Federal and local taxes when they operate their business in their residential property. *If applicant really wants to improve local business environment, why don't they just lease or buy a commercial property to operate their mortgage business?* I am not convinced by the reason provided by the applicant for rezoning application and the purpose they want to use a residential property as a business operations.

Overall, I object the rezoning application. Hope you can reconsider the approval of application? Please feel free to contact me if any questions?

With best regards,
Pamela Wang
(512) 698-8547

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9/18/2007

Sirwaitis, Sherri

From: Sartain, Don [REDACTED]
Sent: Wednesday, September 05, 2007 6:01 PM
To: Sirwaitis, Sherri
Subject: Rezoning request from 8422 Spicewood Springs Road

Ms Sirwaitis,

I'm writing to express my desire that Austin's zoning commission and city council vote to not approve the rezoning request you have received from 8422 Spicewood Springs Road. I am a resident of the Ridge of Balcones Home Owners Association (RABNA), the neighborhood adjacent to the property that is requesting a rezoning...my address is 8405 Saber Creek Trail.

There are a number of reasons why I believe rezoning that property to allow a busy commercial business right next to RABNA is detrimental to our neighborhood and to Austin.

1. 8422 Spicewood Springs Rd is in the school zone of Canyon Vista Middle School. There is already substantial traffic on Spicewood Springs Rd and this will add to an already busy road.
2. We have a significant number of children in our neighborhood that attend Canyon Vista Middle School. Those kids walk home and cross Spicewood Springs Road at the intersection of Spicewood Springs Cove and Spicewood Springs Road – right where the owner of 8422 Spicewood Springs Rd wants to have multiple accesses into the property. This will create substantial more traffic for these children to have to navigate both in the mornings and afternoons.
3. In the winter months, it is often dusk or dark when these kids go to early morning and after school practices and activities. This makes it even more dangerous with the increased traffic at the entrance to our neighborhood.
4. The proposed commercial business will have night and weekend traffic that will congest the entrance into the RABNA neighborhood and create the dangerous situation of children in the area of commercial traffic in our neighborhood.
5. Cars are parking on Spicewood Springs Cove to access this property. Spicewood Springs Cove, like the other roads in our neighborhood, are too narrow to support two way traffic when cars are parked curbside.
6. We have already seen school buses have to back up to navigate the turn from Pommel Drive onto Spicewood Springs Cove because of these cars.
7. Emergency response vehicles will have the same difficulty should they be needed at any residence in the RABNA neighborhood.
8. Spicewood Springs Cove is not a thru-street to other city streets – it is the entrance to our residential neighborhood.

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Planning Department 8422 Spicewood Springs Road
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I would request that you or someone from the Zoning Dept come out and take a look for yourself at the situation. The property owner had already cut away the curb prior to requesting a permit to do so. It is evident that the property owner is focused on his business agenda and not on how it will impact the residential area he is trying to build a business in the midst of.

Again, I request that you submit my request to deny a zoning change for 8422 Spicewood Springs Road. Allowing a commercial business at this address will have a substantial negative impact on the Ridge of Balcones neighborhood.

Thank you,

Don Sartain

8405 Saber Creek Trail

Austin, TX 78759

512-258-0924

9/10/2007

Sirwaitis, Sherri

From: [REDACTED]
Sent: Monday, September 10, 2007 9:00 AM
To: Sirwaitis, Sherri
Subject: FW: Reference case C14-2007-0156

To: Neighborhood Planning and Zoning Department

Attention: Sherri Sirwaitis

Reference case C14-2007-0156

As immediate neighbors (directly across Spicewood Springs Cove) to this location, I ask that you strongly consider the negative impacts of rezoning this area. This is a small neighborhood with very narrow streets and is almost directly across the street from Canyon Vista Middle School. The property in question is actually in the school zone. The owners of 8422 Spicewood ran their 2 businesses out of this property earlier in the year. When they did, the employees parked on both sides of Spicewood Springs Cove street. The school busses that support the neighborhood had difficulties in maneuvering through the parked vehicles and actually had to back up out of the neighborhood on at least one occasion. With cars parked on each side of the street, 2 way traffic is blocked. The kids walking to a from school and many parents who jog and walk the neighborhood had more obstructed views of the already crowded Spicewood Springs traffic. Neighbors entering and leaving the neighborhood were also challenged with the obstructions caused by the parked cars. We're fortunate that we didn't have the need for an emergency vehicle to respond to call for help. Since these businesses operate days, nights, and weekends as advertised, the problem is exacerbated with more constant flow of employees and customers.

Another concerns is toward aesthetics. Since purchasing this property, the owners have done little to maintain the property. The grass was allowed to grow to 2 feet, trash piled up across the yard and very unsightly address signs were posted. A portion of the curb was deconstructed to allow vehicle access. Since it wasn't paved or finished as a driveway, the gravel and dirt from the yard spills into the street with every rain shower. That problem still exists today. They've demonstrated an unwillingness to maintain the appeal of the property.

This area continues to grow with single family dwellings, partly because of the corresponding and much sought after schools. An opportunity for one more family to

9/10/2007

have access would be removed. Furthermore, business districts and available offices are already located within 1.5 miles on Research, Pond Springs, and Jollyville road. Owner James Wu currently owns a business condo where they operate their business on Pond Springs road. We're concerned that once rezoned, this could turn in to other, more traffic inducing businesses.

Other concerns include the negative impacts on our property values and the precedent that would be set for others in the area to increase their property values by rezoning or investors do the same at the expense of our neighborhood.

Again, I ask that you convey our stance as immediate neighbors of this property.

We hope to see you at the hearing.

David and Lucia Elizondo

8323 Pommel Dr.

Mobile 748-3919 / Office 728-2977

Sirwaitis, Sherri

From: Taylor [REDACTED]
Sent: Tuesday, September 18, 2007 6:24 PM
To: Sirwaitis, Sherri
Subject: Case # C14-2007-0156

Ms Sirwaitis,

I myself, and most people I have spoken to, want to know if the staff will send someone out to look at our neighborhood and see the impact and profile that a mixed use building with a 70% impervious cover would have on our neighborhood?

It would be a stark difference against what currently exists. And a big difference from the only 2 office zoned properties anywhere around - these 2 properties are single story and have normal small home appearance.

I was told by a long term resident & Officer of another Association that they were originally platted that way in the 70's. I am investigating more about them and the subject property's history too.

Thanks,

Penny

ps - one property within the 200' is changing ownership this Thursday Sept 20th - I don't believe we will have the petition complete until end of week - who will be "owner of record"?

9/24/2007

Sirwaitis, Sherri

From: Karen R Slapik [REDACTED]
Sent: Wednesday, September 19, 2007 1:17 PM
To: Sirwaitis, Sherri
Subject: Rezoning of Spicewood Springs Property

Sheri-

I live near Spicewood Springs /Saber Creek trail, and am very concerned about the possible rezoning of 8422 Spicewood Springs Rd. This is a primarily residential area, and the usage of this property for commercial purposes has already caused traffic and aesthetic issues in the neighborhood. I feel that the code for LO-MU is inappropriate for this area, and would open up this neighborhood to similar rezoning of other residential areas. Please reject this rezoning proposal. Thank you.

Karen R. Slapi
kslapik@us.ibm.com
Technical Support Management - System p
IBM Systems & Technology Group
11400 Burnet Road, Austin, TX 78758
(512) 823-7116 T/L 793-7116

9/24/2007

Sirwaitis, Sherri

From: Connie Perdue [REDACTED]
Sent: Wednesday, September 19, 2007 5:31 PM
To: Undisclosed-Recipient;;
Subject: Zoning Change Request
Importance: High

Dear Neighbors,

Please see information below that was received regarding the zoning change sign on Spicewood Springs Road across from Canyon Vista Middle School. You can contact Sherri Sirwaitis (see contact information at the end of this email) regarding the proposed change from the current zoning of **single family** residence to **limited office** and mixed use. Please note that the City of Austin staff will make recommendations to the City Planning Board on **October 2 or 16**.

If you do not wish to receive these messages in the future, let me know, and I'll remove you from my list. However, if you have a neighbor that would like to be added, please let me know. Remember to let me know if your email address will be changing so you won't miss any eletters or updates.

Sincerely,

Connie Perdue

<http://www.spicewoodstates.com/>

The current owner of the property at 8322 Spicewood Springs Road across from Canyon Vista Middle School purchased that property last October. He and his wife have a realtor and mortgage brokerage business, and they moved the business into the house at that time from a nearby business location. (Their residence is elsewhere.) The COA Code Enforcement Department told them they could not run the business on the property. The owner moved his business to another location and has now applied for a zoning change from SF2 (single family residence only) to LO-MU (Limited Office and Mixed Use which permits any combination of office, retail, commercial, and residential uses in a single development).

LO-MU allows 1) up to 70% impervious cover, 50% of which can be parking lot; 2) multiple family units; 3) height up to 40 feet or 3 stories; and 4) setback of building 25 ft on front, 5 ft inner side, 5 ft at rear and 15 ft on street side. A letter accompanying the owner's application argues that the zoning should be changed because the property is not marketable as a single family residence due to traffic congestion along Spicewood Springs Road and that there are already professional offices along Spicewood Springs--the dental office and the engineering office.

I believe that allowing this zoning change for this property is unjustified, inappropriate, and detrimental to the residences adjoining the property as well as to the surrounding homes and school. There is no guarantee in the changed usage category of what will be built at this site. Any non-residential use will reduce values of adjoining and closeby homes. The dental and engineering business were allowed because at the time they were placed there, those properties were not subject to any zoning jurisdiction--

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this was prior to annexation by the City. With those two exceptions, development has been totally in residential neighborhoods. That is the character of the area that residents expected when they purchased their homes and wish to retain.

In addition, allowing a zoning change at this location will certainly lead to similar requests for changes for other property along Spicewood. There are several large homes on large lots along Spicewood as well as undeveloped areas. Anyone wishing to develop those properties for other than single family residential would apply for similar zoning changes, citing the current zoning change request, if granted, as justification.

Traffic would be increased at just the spot where it shouldn't be--Canyon Vista Middle School. And, finally, the City has neither the responsibility or mission to guarantee a higher profit for a property owner. The Owner should have looked at all of the issues related to the property before he bought it. To come now, a year later, and argue lack of marketability, even if true, is the owner's problem--not the community's and not the City's.

The matter is now before the COA Planning and Zoning Department. Staff will make recommendations to the City Planning Board--I was told probably **October 2 or 16**. After voting on the request, the matter will go to the City Council for final action probably within 30 days after that.

I would appreciate your sharing this information with the neighborhood association. If anyone wishes to object to this zoning change request, they can first direct their comments to

Sherri Sirwaitis

COA Planning and Zoning Department

505 Barton Springs Rd, Suite 525

Austin 78704

sherri.sirwaitis@ci.austin.tx.us

Once the case goes to the Zoning Board, those opposing the change should send comments to the Board as well as appear at the hearing. Same for the City Council.

Info on this case: www.ci.austin.tx.us/devreview.index.jsp (Type in case #C14-2007-0156 and see attachments too). For info on zoning allowances: www.ci.austin.tx.us/development.

Marilyn Calhoun

Sirwaitis, Sherri

From: Ted Moorman [REDACTED]
Sent: Wednesday, September 19, 2007 5:49 PM
To: Sirwaitis, Sherri
Subject: Zoning Case #C14-2007-0156

Sherri,

I am a home owner a few blocks from 8322 Spicewood Springs Road. I am writing to oppose the proposed change in zoning for this property. The residential character of this neighborhood will be damaged by allowing this change from a single family residence. I realize the owner is requesting this because he bought the property to run a business. However, he must have been aware of the zoning at at that time and there is now reason to accommodate him. There is plenty of commercial space less than one mile away near HWY 183.

Thank you for your consideration of my family's opposition to this rezoning.

Sincerely,

Ted Moorman

--

Ted Moorman
9006 Scotland Well Cove
Austin, TX 78750-3470
512-331-0757 Home
512-923-2342 cell

Sirwaitis, Sherri

From: David Methven [REDACTED]
Sent: Wednesday, September 19, 2007 6:43 PM
To: Sirwaitis, Sherri
Subject: Objection to Zoning change request

Hi Sherri,

I'd like to voice my objection to the request to change the zoning on the property at 8322 Spicewood Springs Rd.. I think the below reasons for objecting to this request that were written by my neighbor are dead on and should be factored into the Planning and Zoning Department's decision on this issue.

I believe that allowing this zoning change for this property is unjustified, inappropriate, and detrimental to the residences adjoining the property as well as to the surrounding homes and school. There is no guarantee in the changed usage category of what will be built at this site. Any non-residential use will reduce values of adjoining and closeby homes. The dental and engineering business were allowed because at the time they were placed there, those properties were not subject to any zoning jurisdiction--this was prior to annexation by the City. With those two exceptions, development has been totally in residential neighborhoods. That is the character of the area that residents expected when they purchased their homes and wish to retain.

In addition, allowing a zoning change at this location will certainly lead to similar requests for changes for other property along Spicewood. There are several large homes on large lots along Spicewood as well as undeveloped areas. Anyone wishing to develop those properties for other than single family residential would apply for similar zoning changes, citing the current zoning change request, if granted, as justification.

Traffic would be increased at just the spot where it shouldn't be--Canyon Vista Middle School.

And, finally, the City has neither the responsibility or mission to guarantee a higher profit for a property owner. The Owner should have looked at all of the issues related to the property before he bought it. To come now, a year later, and argue lack of marketability, even if true, is the owner's problem--not the community's and not the City's.

Regards,
David Methven
8806 Scotsman Dr.
512-219-1691

9/24/2007

Sirwaitis, Sherri

From: Greg Jones [REDACTED]
Sent: Wednesday, September 19, 2007 6:55 PM
To: Sirwaitis, Sherri
Subject: Fwd: Zoning Change Request

Sherri:

I object to this zoning change. I this change would be detrimental to the neighborhood, decay the surrounding property values, and open the door for other business to request rezoning. Given this area is residential I feel this zoning change is inappropriate.

Regards,

Greg Jones
10805 Chateau Hill.

512-331-9384

Note: forwarded message attached.

9/24/2007

Sirwaitis, Sherri

From: Jose Ocanas [REDACTED]
Sent: Wednesday, September 19, 2007 6:59 PM
To: Sirwaitis, Sherri
Subject: Zoning Change Request at 8322 Spicewood Springs Road

As a neighbor of the Spicewood Springs area I believe that allowing this zoning change for this property is unjustified, inappropriate, and detrimental to the residences adjoining the property as well as to the surrounding homes and school. Any non-residential use will reduce values of adjoining and closeby homes. The dental and engineering business were allowed because at the time they were placed there, those properties were not subject to any zoning jurisdiction--this was prior to annexation by the City. With those two exceptions, development has been totally in residential neighborhoods. That is the character of the area that residents expected when they purchased their homes and wish to retain.

In addition, allowing a zoning change at this location will certainly lead to similar requests for changes for other property along Spicewood. There are several large homes on large lots along Spicewood as well as undeveloped areas. Anyone wishing to develop those properties for other than single family residential would apply for similar zoning changes, citing the current zoning change request, if granted, as justification.

Traffic would be increased at just the spot where it shouldn't be--Canyon Vista Middle School.

And, finally, the City has neither the responsibility or mission to guarantee a higher profit for a property owner. The Owner should have looked at all of the issues related to the property before he bought it. To come now, a year later, and argue lack of marketability, even if true, is the owner's problem--not the community's and not the City's.

The case number for this is #C14-2007-0156

Jose Ocanas
10104 Brightling Ln
Austin, TX 78750

Sirwaitis, Sherri

From: JoAnn Chappell [REDACTED]
Sent: Wednesday, September 19, 2007 8:15 PM
To: Sirwaitis, Sherri
Subject: Zone change on Spicewood Springs Rd.

September 19, 2007

Sherri:

Please note that we are adamantly **OPPOSED** to a zone change near or close to Canyon Vista Middle School. Aside from the huge traffic problem such a change could cause, a much larger issue is the safety & protection of all activity at Canyon Vista.

Fred & JoAnn Chappell
9104 Marybank Drive
78750

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9/24/2007

Sirwaitis, Sherri

From: Doug Leininge [REDACTED]
Sent: Wednesday, September 19, 2007 9:57 PM
To: Sirwaitis, Sherri
Subject: case #C14-2007-0156

Sherri,

I just wanted to let you know that our family is very opposed to the change in zoning from a residual site to a LO-MU for the property located at 8322 Spicewood Springs Road for a number of reasons. We have lived in our current home for 11 years, and all four of our children have graduated from Canyon Vista Middle School. So, we know the area well, and have a vested interest in it. This is a residential area, not a business area. Why should we, as a neighborhood be forced to make a change in zoning for someone who inadvertently bought a house for business use that was not properly zoned, or who thought they could get the zoning changed after the fact? No one in their right mind would want this zoning changed. It's a wonderful neighborhood, with stable real estate values. If we start changing the zoning to accomodate this one person, then traffic will be sure to increase, the residential feel to our neighborhood will be eroded (if not lost), and our property values will be sure to suffer. Why should we suffer for this one person? It does NOT make any sense to me. I just hope enough of my neighbors speak up to show you how strongly we feel about our community.

Best regards,
Doug Leininger
8906 Tweed Berwick Drive
Austin, TX 78750
M: 512.750.2555

9/24/2007

Sirwaitis, Sherri

From: Kathy & Keith Stephenson [REDACTED]
Sent: Wednesday, September 19, 2007 10:40 PM
To: Sirwaitis, Sherri
Subject: Zoning Change Request 8322 Spicewood Springs Road

I wish to express my dissatisfaction with the proposed zoning change request for 8322 Spicewood Springs Rd. This request appears to be strictly for the convenience of a property owner who did not do appropriate investigation of the property prior to purchase. It is not in the best interest of the neighborhoods in the area.

Allowing this zoning change to LO-MU is unjustified, inappropriate, and detrimental to the residences adjoining the property as well as to the surrounding homes and school. There is no guarantee in the changed usage category of what will be built at this site. Any non-residential use will reduce values of adjoining and closeby homes. The character of this area is residential - residents expected when they purchased their homes for it to stay residential and wish to retain this character.

Allowing a zoning change at this location will lead to similar requests for changes for other property along Spicewood. There are several large homes on large lots along Spicewood as well as undeveloped areas which could want to cash out at any time with LO-MU zoning. Anyone wishing to develop those properties for other than single family residential would apply for similar zoning changes, citing the current zoning change request, if granted, as justification.

I urge you to reject this zoning request. Thank you!

Kathy Stephenson
Neighborhood resident

9/24/2007

Sirwaitis, Sherri

From: Jeff Aarvig [REDACTED]
Sent: Thursday, September 20, 2007 8:59 AM
To: Sirwaitis, Sherri
Subject: Case #C14-2007-0156
Importance: High

Ms. Sirwaits,

I would like to go on record as **opposing** the "zoning change" listed in Case #C14-2007-0156

I have lived in the area for over 16 years and have three children who attended Canyon Vista Middle School. The last thing the neighborhood (and school) needs is additional traffic on Spicewood Springs Road, endangering the lives and safety of the children. I moved to this area because of the **quality of life** that our neighborhood provides.

Precedence has not been set with having the Dental Office and Engineering Company located on Spicewood Springs Road, because they were established before our neighborhood was annexed into the City of Austin and there were no zoning laws at that time. Now there are!

The buyers of this property should have done their due diligence on the zoning of this property long before they bought it, instead of trying to change it after the fact. They obviously knew they were going to try and set up shop for the purpose of buying the property.

If these buyers still want to be close, in proximity to our neighborhood, there are plenty of office spaces available on Pond Springs Road (which is already appropriately zoned) to purchase or lease for their business.

In today's society, there are large residential developments that incorporate a section for "limited business" use as part of that development. These developments are called "Master Planned" communities. They are created at the time the neighborhoods are being created, not when the neighborhood is already 20 to 30 years old and is established as a true "Residential" neighborhood with plenty businesses located just a short drive away.

My desire is to continue living in a quiet neighborhood, without the safety issues, congestion, and noise that businesses typically bring to their locations. If I want to patronize real estate companies, I will make the short drive up to Hwy 183 or Pond Springs Road.

Thank you for your time.

Sincerely,

Jeff Aarvig

9/24/2007

Sirwaitis, Sherri

From: j8003wr [REDACTED]
Sent: Friday, September 21, 2007 7:05 AM
To: Sirwaitis, Sherri
Subject: 8322 Spicewood Springs Road

Sherri, Please do not allow this property to become commercial. There is a dental office and an engineering office at Texas Plume and Spicewood but they never have more than 3 clients at a time. However, making that whole track commercial will not only destroy home values but will create more traffic problem at school time start and finish. I know it is on property but once it starts there goes the neighborhood. There are curves in the road making visibility not great. I can't think of any positive except for the homeowners of the property because of a bad decision.(not our responsibility). Thank you for your time. Pat Rainey

9/24/2007

Sirwaitis, Sherri

From: Connie Perdue [REDACTED]
Sent: Friday, September 21, 2007 8:47 AM
To: Sirwaitis, Sherri
Cc: McCracken, Brewster
Subject: Case #C14-2007-0156

Dear Sherri,

I am writing in response to the subject case which is requesting a change from SF2 (single family residence only) to LO-MU (Limited Office and Mixed Use) at 8422 Spicewood Springs Road.

This area is residential in nature and is completely out of character with the surrounding neighborhoods that contain 1 and 2 story structures. This property is directly adjacent to an established, private residential neighborhood and the entrance to the neighborhood is at the edge of this property. The increase in height will cause this property to be the tallest structure directly on the fence line of several homes.

This property is also located across the street near the end of the Canyon Vista Middle School property. It is about a block from the crosswalk where children cross to Canyon Vista Middle School, which also contains a pool, jogging area and recreational fields. Spicewood Springs Road is already plagued with cut-through speeding traffic trying to avoid 183 and other main arteries. Any change from a residential property to a limited office and mixed use property increases the vehicular traffic. There has already been one death of a child near the Spicewood Springs library and the increased traffic in an area that has many children, pedestrians and bicyclists will increase the chances of further calamities.

In closing, I strongly protest any change from a single residential property.

Regards,

Connie Perdue

9/24/2007

Sirwaitis, Sherri

From: Fito Kahn [REDACTED]
Sent: Friday, September 21, 2007 9:37 AM
To: Sirwaitis, Sherri
Subject: Spicewood Springs Zoning change

Sherri,

I have just become aware that you are considering a zoning change from SF2 to LO-MU for Spicewood Springs Road near Canyon Vista Middle School. I would ask that you recommend against the zoning change. I ask this for several reasons. I purchased my home in 2001 after a year of looking at the different areas of Austin. We chose the Spicewood Springs area because of the location, the schools, the views, and most importantly, the neighborhoods. We built in an area that we knew was zoned single family. We knew that there would be no commercial or retail businesses next to or near our home because of how the area was zoned. We are very concerned that this zoning change would start a wave of others wanting to request similar zoning changes throughout the area. Spicewood Springs road is already highly traveled. Allowing commercial and retail properties would certainly increase traffic along Spicewood Springs. With the increase in traffic comes the danger of more accidents, noise, and congestion. All these would contribute to a decrease in property values in the area. If the zoning change is made, we have no way of controlling what type of commercial or retail property goes into our neighborhood. Zoning changes should not be made to help one person or business. Because they affect entire neighborhoods and have long range implications, they should be made only if they are in the best interest of the neighborhood, the surrounding community, and the city. Please consider these points when you make your recommendations to the council.

thanks,

Adolph Kahn
11536 Cedarcliffe Dr.
Austin, Texas 78750
512-775-9270

9/24/2007

Sirwaitis, Sherri

From: Annalynn Cox [REDACTED]
Sent: Friday, September 21, 2007 4:52 PM
To: Sirwaitis, Sherri
Subject: Spicewood Springs Zoning Change

Ms. Sirwaitis and the City of Austin Planning and Zoning Department:

I understand the owners of the property located at 8322 Spicewood Springs Road are requesting a zoning variance that would allow them to run a business out of the residence they purchased at this property.

My family and I are extremely opposed to any zoning changes to any property in this area, but especially to a piece of property located directly across from Canyon Vista Middle School. My children are still very young, but in time they will attend Canyon Vista Middle School, as do many of my neighbor's children. As our residences are located within a mile of the school, the Round Rock Independent School District does not bus our children home. Instead, the children in our neighborhood must walk home from school. Having a business located directly across from the school would provide an extremely negative increase to an already heavily traveled road. Spicewood Springs is extremely busy with traffic - so busy that several years ago, a child was killed crossing the street on his way to the Austin Public Library. Please don't put any additional children's lives at risk by allowing a zoning variance for 8322 Spicewood Springs.

It is my understanding that this property was purchased within the past year, and that the owners of the property never took up residence at this property. They bought this property for the sole intent of opening a business there - something which they knew at the time they purchased there property was not allowed. To allow them to circumvent the City's zoning ordinances and laws and allow this change to happen would be wrong. It is not the City's responsibility to ensure that each piece of property provide an increase in property value for investors - but it IS the City's responsibility to ensure that its school children are not harmed.

We, and many of our neighbors, bought our homes in this area for the specific reason that we wanted a neighborhood uncluttered by the traffic brought on by businesses, where our children could safely walk and ride their bikes to and from school and down to the City Park located on Rustic Rock Drive. If you allow one business to change the rules, it only makes it that much easier for the next person, and the one after that, and the one after that, to change the zoning ordinances until Spicewood Springs begins to look more like Highway 183. Already I can see that the owners of this property are using the dental office and engineering offices as reasons why their variance should be granted. Please note that BOTH of these businesses were grand-fathered in before the zoning ordinances were changed, and that is the ONLY reason why they exist along this section of Spicewood Springs.

Thank you for your attention to this matter.

Annalynn Cox
11509 Herb Cove
Austin, Texas 78750

Annalynn Cox
Assistant County Attorney
Travis County Attorney's Office
Tel: 512-854-4234
Fax: 512-854-4808
annalynn.cox@co.travis.tx.us

Sirwaitis, Sherri

From: calron@att.net
Sent: Saturday, September 22, 2007 5:14 PM
To: Sirwaitis, Sherri
Cc: [REDACTED]
Subject: C14-2007-0156

Sherri . . . Thank you for confirming your email address. I live a few blocks from the property at 8422 Spicewood Springs for which you are considering a request for a change in zoning. My family is strongly opposed to any changes of property from residential in this area. I believe that allowing this zoning change for this property is unjustified, inappropriate, and detrimental to the residences adjoining the property as well as to the surrounding homes, school and neighborhoods. There is no guarantee in the changed usage category of what will be built at this site. Any non-residential use will reduce values of adjoining and closeby homes. The two businesses along Spicewood were allowed because at the time they were placed there, those properties were not subject to City zoning jurisdiction--this was prior to annexation by the City. With those two exceptions, development has been totally residential. That is the character of the area that residents expected when they purchased their homes and wish to retain. In addition, allowing a zoning change at this location will certainly lead to similar requests for changes for other property along Spicewood. There are several large homes on large lots along Spicewood as well as undeveloped areas. Anyone wishing to develop those properties for other than single family residential would apply for similar zoning changes, citing the current zoning change request, if granted, as justification. Traffic would be increased at just the spot where it shouldn't be--Canyon Vista Middle School.

I understand a letter accompanying the owner's application argues that the zoning should be changed because the property is not marketable as a single family residence due to traffic congestion along Spicewood Springs Road and that there are already professional offices along Spicewood Springs--the dental office and the engineering office. The City has neither the responsibility, obligation or mission to guarantee a higher profit for a property owner. The City does have a responsibility, obligation and mission to preserve the highest and best use of the land--which in this case means to retain the residential character of this area.

I appreciate your consideration.
Marilyn Calhoun

9/24/2007

Sirwaitis, Sherri

From: Shenal Arimilli [REDACTED]

Sent: Sunday, September 23, 2007 3:48 AM

To: Sirwaitis, Sherri

Sherri,

I am most definitely against the zoning. I have a 6th grader at CVMS and can not imagine more traffic in the area now or in a few years when my younger daughter attends.

Thanks.
Shenal

9/24/2007

Sirwaitis, Sherri

From: A2Sicher [REDACTED]
Sent: Sunday, September 23, 2007 12:42 PM
To: Sirwaitis, Sherri
Subject: property at 8322 Spicewood Springs Road across from Canyon Vista Middle School

Ms. Sirwatis:

To increase traffic at precisely this location would be very detrimental to: (1) general traffic flow (2) middle school children attending CVMS and (3) surrounding residences and businesses.

Traffic is already severely impeded in the mornings (at school drop-off times), in the afternoons and at special school events (i.e. football games, open house sessions etc.). There is no light there or even a crossing guard to help with traffic flow. Having a business across from the school would only exacerbate the current traffic flow problem.

Please consider recommendation of refusing to change zoning to LO-MU zoning. If purchased only last October, the property owner should have realized there was a school across the street which would pose problems for changing zoning to commercial use.

Thanks.
Anna Sicher
(son attends CVMS)

9/24/2007

Sirwaitis, Sherri

From: Cheryl Nolting [REDACTED]
Sent: Sunday, September 23, 2007 7:14 PM
To: Sirwaitis, Sherri
Subject: Objection to Zoning Change Request on Spicewood Springs

Ms. Sirwaitis:

I have received an e-mail in regards to a zoning change request that is happening in my neighborhood and my child's school.

With all due respect, I must object to the zoning change request at 8322 Spicewood Springs Road across from Canyon Vista Middle School.

I believe that allowing this zoning change for this property is not the correct course of action for the area and would be detrimental to the residences adjoining the property as well as to the surrounding homes and school. There is no guarantee in the changed usage category of what will be built at this site. Any non-residential use will reduce values of adjoining and closeby homes.

In addition, allowing a zoning change at this location will certainly lead to similar requests for changes for other property along Spicewood. There are several large homes on large lots along Spicewood as well as undeveloped areas. Anyone wishing to develop those properties for other than single family residential would apply for similar zoning changes, citing the current zoning change request, if granted, as justification.

Traffic would be increased at just the spot where it shouldn't be--Canyon Vista Middle School.

And, finally, the City has neither the responsibility or mission to guarantee a higher profit for a property owner. The Owner should have looked at all of the issues related to the property before he bought it. To come now, a year later, and argue lack of marketability, even if true, is the owner's problem--not the community's and not the City's.

Thank you in advance for your time and the opportunity to place a protest.
Sincerely,
Cheryl Nolting

9/24/2007

Sirwaitis, Sherri

From: Meghal Kantawala [REDACTED]
Sent: Monday, September 24, 2007 8:46 PM
To: Sirwaitis, Sherri
Subject: Zoning Change for property address 8322 Spicewood Springs Road

Dear Ms. Sirwaitis,

As a resident in the neighborhood, I am oppose to granting this zoning change. This part of the town is really beautiful with rolling hills and houses tucked away among the trees. If this property is allowed to have a business, by granting it the zoning change it will drastically change the outlook of the neighborhood. I am all for change, life is all about change.

But this change is inappropriate. There are lots and lots of "Office Space Available" signs within 3-mile radius of this property. So if this change is not granted, it will not be a disaster for the business. They will be using the space already available and at the same time preserve the integrity of the neighborhood.

Please take a drive on the street and see for yourself what this zoning change is going to change. I strongly urge you not to grant THIS change.

Thank you very much for taking time to ready this email.

Best Regards,
Meghal Kantawala
Resident of Spicewood Estates

To: Neighborhood Planning and Zoning Department

Attention: Sherri Sirwaitis

Reference case C14-2007-0156

As immediate neighbors (directly across Spicewood Springs Cove) to this location, I ask that you strongly consider the negative impacts of rezoning this area. This is a small neighborhood with very narrow streets and is almost directly across the street from Canyon Vista Middle School. The property in question is actually in the school zone. The owners of 8422 Spicewood ran their 2 businesses out of this property earlier in the year. When they did, the employees parked on both sides of Spicewood Springs Cove street. The school busses that support the neighborhood had difficulties in maneuvering through the parked vehicles and actually had to back up out of the neighborhood on at least one occasion. With cars parked on each side of the street, 2-way traffic is blocked. The kids walking to and from school and many parents who jog and walk the neighborhood had more obstructed views of the already crowded Spicewood Springs traffic. Neighbors entering and leaving the neighborhood were also challenged with the obstructions caused by the parked cars. We're fortunate that we didn't have the need for an emergency vehicle to respond to call for help. Since these businesses operate days, nights, and weekends as advertised, the problem is exacerbated with more constant flow of employees and customers.

Another concerns is toward aesthetics. Since purchasing this property, the owners have done little to maintain the property. The grass was allowed to grow 2 feet, trash piled up across the yard and very unsightly address signs were posted. A portion of the curb was deconstructed to allow vehicle access. Since it wasn't paved or finished as a driveway, the gravel and dirt from the yard spills into the street with every rain shower. That problem still exists today. They've demonstrated an unwillingness to maintain the appeal of the property.

This area continues to grow with single family dwellings, partly because of the corresponding and much sought after schools. An opportunity for one more family to have access would be removed. Furthermore, business districts and available offices are already located within 1.5 miles on Research, Pond Springs, and Jollyville road. Owner James Wu currently owns a business condo where they operate their business on Pond Springs road. We're concerned that once rezoned, this could turn in to other, more traffic inducing businesses.

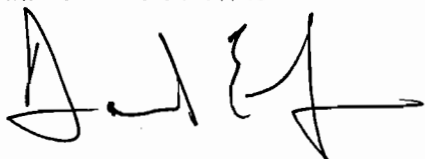
Other concerns include the negative impacts on our property values and the precedent that would be set for others in the area to increase their property values by rezoning or investors do the same at the expense of our neighborhood.

Again, I ask that you convey our stance as immediate neighbors of this property.

David and Lucia Elizondo

8323 Pommel Dr.

Mobile 748-3919 / Office 728-2977

A handwritten signature in black ink, appearing to be 'David and Lucia Elizondo', written in a cursive style.

Elsie E. Simins
8302 Pommel Dr.
Austin, TX 78759
September 11, 2007

Sherri Sirwaitis
City of Austin – Senior Planner
One Texas Center, Suite 525
500 Barton Springs Rd.
Austin, TX 78704

Dear Ms. Sirwaitis:

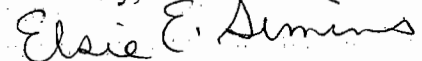
I am writing to you re: the application for rezoning (case # C14-2007-0156,) at 8422 Spicewood Springs Rd., Austin, Texas 78759, by owners James Wu and wife, Nancy Sun. The name of their business is First Mortgage, which they ran illegally in April and May 2007, until they were caught. They already own a business condo for their businesses on Pond Springs Rd. and own a larger, newer home nearby.

During the two months in which James Wu and Nancy Sun ran their business in our residential community, illegally, they did not maintain the property and grass was over two feet high. They had a section of curb cut out, (without a permit to do so), and there was dirt, gravel and rock streaming all the way down Spicewood Springs Cove into Spicewood Springs Road, at the entrance to our community, Ridge at Balcones. Their business was running 7 days a week, nights, and weekends, (as advertised!), with parking by so many employees and customers continuously, that it was blocking traffic for not only the residents, but also for people and children walking, and emergency vehicles, which could **not** access our community. There is not enough room for parking and two way traffic in our community! School buses were also blocked at Spicewood Springs Cove and Pommel Dr., which is their school bus route to local elementary, middle, and high schools.

I am very concerned that this business in a residential area will have a negative impact on property values of homes and less desirability, as well as set a negative precedent, if re-zoning is approved. This area has residential growth only and many people are seeking the few homes left for excellent, surrounding schools.

I am therefore asking you to please **NOT** recommend re-zoning to the City Council for Case # C14-2007-0156 at 8422 Spicewood Springs Rd. for owners James Wu and Nancy Sun. Thank you for your time and consideration.

Sincerely,



Elsie E. Simins

Sirwaitis, Sherri

From: Margaret Ott [REDACTED]
Sent: Wednesday, September 26, 2007 8:34 AM
To: Sirwaitis, Sherri
Subject: zoning change case #C14-2007-0156

Dear Mrs. Sirwaitis,

I would like to object to the proposed zoning change for the property at 8322 Spicewood Springs Rd. in Austin. I travel in front of that property every day taking my children to school and it is already very congested at certain hours. A business would make that worse and increase traffic at non-school hours as well. In addition, single family homes do occupy most of the surrounding properties, and there should be no reason that that property would be unsuitable for another single family home. If others are perfectly happy living off of Spicewood Springs Rd., that's sufficient evidence that it can be used for single family homes. The individuals who bought this property should have been aware of the zoning for it when they bought it, since they are in the real estate business. They can always sell it to someone else if they don't have use for it as a single family property. I see no reason why the rest of the community should be negatively impacted because of their disregard for the zoning laws when they bought the property. This is an overwhelmingly residential area and should remain so. It will harm the property values and quality of life for all of us if the City grants their proposed change.

Thank you,
Margaret Ott
9406 Ashton Ridge
Austin, TX 78750

8402 Saber Creek Trail
Austin, TX 78759
September 20, 2007

Ms. Sherri Sirwaitis
Planning and Zoning Department
505 Barton Springs Rd Suite 525
Austin TX 78704

Dear Ms. Sirwaitis:

I am writing you to vote AGAINST the rezoning of this property to commercial. I feel allowing this property to go commercial on the corner of our residential neighborhood will have a negative impact in the ways listed below. Please let me know if you have any questions.



Linda Vaughn

- School Zone - Children on foot and bicycles crossing street before and after school. Additional car traffic and parked cars blocking view of children & many people who walk, jog, parents with strollers, etc.
- Emergency vehicles blocked - fire trucks and ambulances blocked from accessing neighborhood.
- School bus blocked - Spicewood Springs Cove & Pommel Dr is the school bus route for the elementary, middle school & high school. Have seen the buses having to back up during April-May when businesses were run from there.
- Residential Neighborhood traffic blocked - streets are too narrow to allow 2 way traffic when cars parked at curb. This was demonstrated when they were illegally working out of there in April and May.
- Days, nights and weekends - these businesses will be open for business -as advertised - during evenings and weekends too -with constant traffic, employees & customers.
- Property not appealing - businesses made little attempt to maintain the property in April-May - grass allowed to grow 2 ft high, litter blowing across yard & street, rock and gravel spilling into street, and large unsightly address sign constructed in yard.
- RESIDENTIAL GROWTH oriented neighborhood - This area has only been growing with more residential properties- not business properties. Not many affordable homes or lots left for number of families who seek good school system like this one. The Dentist & Architect properties have been there for many, many years before many of our surrounding homes were built and do not operate 7 days a week including nights.
- Business district & available offices are already located on Research, Pond Springs & Jollyville. James Wu & wife Nancy Sun own a business condo where they operate now on Pond Springs Rd.
- Less affordable housing - rezoning this property will take away available and affordable housing for the average family. A rezoned 'business use' property will at least double in price.
- Less housing - rezoning this property will mean 1 less 'home' available in this neighborhood sought after for its good schools and quiet area.
- Negative impact on property value of homes - the problems & aesthetics of having a business located in our neighborhood will impact the desirability of our 'residential only' homes.
- Negative precedent will be set if rezoning approved - if this is approved it will encourage those seeking to increase property value by rezoning their property or buying and rezoning to business in order make a profit at Neighborhood's expense.

September 18, 2007

Case # C14-2007-0156

Ms Sherri Sirwatis
Neighborhood Planning and Zoning Department
505 Barton Barton Springs Rd Suite 525
Austin Texas 78704

Ms Sirwaitis,

I am writing this letter to state my opposition to the rezoning application submitted for the property located at 8422 Spicewood Springs Rd and to ask you to recommend against approval to Planning and Zoning and the City Council.

I believe a business rezoning for this property will have an adverse impact on my family, my neighbors adjacent to this property, and the entire residential part of Spicewood Springs Rd area for several reasons:

- Dangerous business traffic across from a school - This property is located across from a school with a 1,000 plus student population many of whom walk or ride bicycles to and from school and for early morning or after school/ evening events and required practice for school activities. The businesses operated by the rezoning applicants, Nancy Sun and James Wu, a married couple, are a mortgage lending company and a real estate company with 15 employees so far. James Wu, the Mortgage Broker and a Real Estate Broker, will have a high volume of employee and customer traffic 7 days per week and into the evening hours which is normal for these kinds of businesses and this business advertises to be open weekends.
- Dangerous business traffic for neighborhood - this area is very family oriented with children playing in the streets and sidewalks, parents with strollers, adults walking and jogging, cyclers, etc
- Parked cars blocking street - Employee, customer, and courier traffic will block traffic movement as was seen when these businesses illegally operated from this property during April and May of this year. Before Code Enforcement visited their property, residential traffic was forced to take turns maneuvering around parked cars, school buses were having difficulty and were seen having to back up, and EMS vehicles also use this entrance to enter the neighborhood.
- School bus route blocked - Spicewood Springs Cove, Pommel Dr and Saber Creek are all designated school bus route for the neighborhood Elementary, Middle, and High Schools.

- Not a fit with neighborhood - the proposed rezoning LO-MU would allow 70% impervious cover, 3 stories, and multi family units. This does not follow current land use and would be a huge structure inappropriate among the single family homes here. Even the small office lots, which were platted with the neighborhood in 1970's, are 1 story small-home looking structures.
- Adverse Precedent - an approval for this property rezoning would set the stage for other rezoning applications along the Spicewood Springs Rd area for other real estate investors and homeowners seeking to capitalize and profit from the value of a business-zoned property at the expense of our quiet residential neighborhood.
- This is not a "business neighborhood" - This area has been a growing "residential area" only for many many years. Although there are 2 properties that are business zoned, they were established about 30 years ago (one was originally a day care). They were established before the Middle School was built in 1984 and before many of the residential homes were built. Spicewood Springs Rd was widened from a dangerous 2 lane road to accommodate all the growing residential traffic and because of the 1,000+ student school zone. Our area backs up west to Balcones Canyonland Preserve which will not be developed and there are no other 'business' zoned properties anywhere other than to our east at nearby Research Blvd.
- Already have a business district - established nearby on Research, Pond Springs, Jollyville and McNeil roads - our neighborhood's needs are already serviced by these business streets which offer an abundance of retail and office space with land still available for development and currently being developed. The rezoning applicants, in fact, own their own 2005 built business condo located at 13284 Pond Springs Rd #404 where they conduct business from.
- Not enough affordable housing - this area is highly sought after for its blue ribbon schools and quiet residential suburb setting. The newer homes are out of range for the average family seeking a nice neighborhood with excellent schools to raise families. There are quite a few apartment complexes/duplexes/condos near Research which provide affordable rental units. This subject property is affordable currently but will double in value if rezoned and there will be one less home available to provide median to lower income family housing. And if more homes are rezoned - due to a rezoning precedent being set, even fewer affordable homes will be available.
- Desirable Single Family Home - This home, and many more that sit right on Spicewood Springs Rd, are sought after and do sell quickly especially when put on the market well before school starts. Last year the subject property had 2 contracts on it before selling - the first one in just 13 days. Recently, a home at 8319 Pommel Dr sold in 8 days and it's backyard backs up to and sits right on Spicewood Springs Rd. The traffic is residential traffic and not constant, noisy commercial traffic.

- No maintenance of property - during the businesses occupation in April and May, the owners did little in upkeep and allowed grass to grow very high and litter blew around the yard. They did not exhibit any 'pride of ownership' as this is only a business venture and 1 of about 10 other investment properties they already own. The Applicants do not live there and own a very comfortable home nearby which attends the same schools. They do not need this property for businesses or to access this area's schools.

It is clear to me that the rezoning would negatively impact all of our neighborhood and the school. It does not fit the neighborhood and it would set an adverse precedent in motion. This is a case of someone attempting to rezone a property for their profit at the personal expense of many others.

Please do not recommend approval for rezoning to the Platting and Rezoning Commission or to the City Council.

Sincerely,

Penny Taylor
8200 Pommel Dr
Austin Tx 78759
512-507-8530

Christiane u. Scott Lauffer
10605 Saber Creek Cove
Austin, TX 78759

Sept. 10, 2007

Sherri Sirwaitis
City of Austin - Senior Planner
One Texas Center Suite 525
505 Barton Springs Rd
Austin Tx 78704

Rezoning Case #C14-2007-0156
Property location: 8422 Spicewood Springs Rd 78759

Dear Mrs. Sirwaitis,

we are opposing the rezoning of property 8422 Spicewood Springs Rd 78759 due to the following aspects:

This is a neighborhood with many children due to the good school district. The property is located right on the way to Canyon Vista Middle School, which is very close. A business would extend the traffic and therefore would lead to more dangerous traffic situation for the students. In addition, parking around this property has already caused problems for the school buses, that could not get through the narrow street and had to back up.

Right now the planned business for this house is a realty agency, but if they sell the house again, what might come next? The business might be extended, or might change to something that requires even more customer visits and traffic.

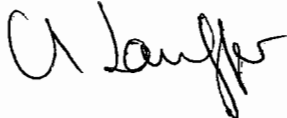
There are a lot of business districts and offices nearby (less than 5 min away). Why do we have to increase businesses in this neighborhood and take away room for affordable residential living? Business would increase the value of the house, which could be sold later on for a higher value. If rezoning is allowed for this property, it might encourage more investors to buy houses in this neighborhood and change them to businesses to make profit.

A business usually is not as well maintained as a private residence. That was already noticed on this property, when it was illegally used for business purposes last April/May. There was litter on the street and property, gravel was spilled to the street from the traffic on the property, grass was high.

Many neighbors moved here, because it is a quiet, well maintained neighborhood. It is a close community. A business that is used 7 days a week would definitely have impact on the quality of living.

We hope, you take our concerns into consideration when you make a decision on the rezoning.

Best regards,



A.K. Crosby
8302 Pommel Cove
Austin, Tx 78759
September 10, 2007

Sherri Sirwaitis
Senior Planner
City of Austin
One Texas Center Suite 525
505 Barton Springs Rd
Austin Tx 78704

Dear Ms. Sirwaitis:

I am writing with regard to Application for Rezoning Case #C14-2007-0156, for 8422 Spicewood Springs Rd 78759.

I strongly oppose this rezoning and feel it would have a very negative effect on the neighborhood.

As the mother of a 6th grader who walks to and from Canyon Vista Middle School, I am more than a little concerned about the additional traffic that is / was generated when the businesses (and there are two) are working out of the house. My daughter already has a challenge getting across Spicewood Springs Rd as many people do not slow or stop for the cross walk. When you add in the parked vehicles obstruct the view, it is an accident waiting to happen.

In addition, when the couple was operating their businesses (which are advertised as days, nights and weekends) there is excessive noise and traffic in a residential neighborhood. The vehicles park in the street, on the grass in front of the house and just about anywhere there is space. These vehicles are an impairment to school busses on a regular basis and they would also be an impairment for fire trucks and emergency vehicles.

The owners cut a curb on Spicewood Springs Cove to give additional egress into the property; this is a clear indication of the amount of traffic the businesses generate. The addition of a paved parking lot for the businesses would not be enough to keep the vehicles from parking on the street. Since the curb has been cut, there has been no effort to build a driveway or in any way maintain the access point. Rubble and dust spew out into the street which is then kicked up by cars and is a danger to pedestrians, cyclists, and other vehicles. This is symptomatic of the lack of maintenance around the property. The grass is not cared for, the fences are repaired only when they are falling down, and litter (largely from their customers) is often blowing into the street.


Finally, there is an issue of responsibility. A case can be made that persons who own a real estate sales business and a mortgage lending company know some of the basics of

Sherri Sirwaitis
September 10, 2007
Page 2

zoning. Yet these owners decided to run both businesses out of a home in residential zoning and to cut the curb without first applying for a permit. I would suggest that they do understand the zoning issues but made the conscious decision to ignore the requirements and should not be rewarded for doing so by having the zoning approved after the fact.

Thank you for your support.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. K. Crosby", with a long, sweeping horizontal line extending to the right.

A. K. Crosby

Sept. 10, 2007

Dear Ms. Sirwaitis,

I am writing ^{re:} the rezoning case #C14-2007-0156 involving the property at 8422 Spicewood Springs Rd., Austin, Tx. 78759. My wife and I live in the adjacent Ridge at Balcones subdivision at 8301 Pommel Drive. We are very opposed to any rezoning of the 8422 Spicewood Springs Rd. property. This is a residential area served by Mountain Laurel Elementary School, Canyon Vista Middle School and Westwood High School. Buses from all three schools pickup and return children in our subdivision and pass the 8422 Spicewood Springs property on two sides, namely on Spicewood Cove and Spicewood Springs corner. If the property is rezoned for a commercial use, the increased traffic this would create would be inevitably a major hazard for pedestrians and vehicles. And Canyon Vista Middle School is just one block east of this requested zoning change. Commercial activities at 8422 Spicewood Springs would greatly increase the danger to children walking to and from the school to their homes in adjacent subdivisions. If there is any doubt about this, just come and look at the area yourself.

While this property was being surreptitiously used for a real estate business in April and May of this year, cars were often parked on one or both sides of Spicewood Cove, just off of Spicewood Springs Rd. This created a situation where emergency vehicles ~~and ambulances~~ and fire trucks would have difficulty getting ^{turned} ~~out~~ to Spicewood Cove to answer calls to our subdivision. During the same time period school buses were reported to have been seen having to back up to maneuver past cars parked at the curb on Spicewood Cove adjacent to the property in question.

My wife and I are very concerned that if this property is rezoned for commercial use of any sort, then single properties all along the south side of Spicewood Springs Road (even closer to Canyon Vista Middle School) might also become exploited for commercial business development, creating traffic chaos on already heavily traveled Spicewood Springs Road.

For these and many other reasons we adamantly oppose any rezoning of ^{this} residential property at 8422 Spicewood Springs Road.

Sincerely,

Sue & Ward A. M. Rinzel

Gregg and Carolyn Geil
8202 Pommel Dr
Austin, TX 78759
(512) 249-7887
ggeill@austin.rr.com

September 7, 2007

Ms. Sherri Sirwaitis
City of Austin Planning and Zoning Department
505 Barton Springs Road, Ste 525
Austin, TX 78704

Re: Re-zoning application for 8422 Spicewood Springs Road

Dear Ms. Sirwaitis:

We are residents of the Ridge at Balcones neighborhood and we are very concerned about the prospect of the residence at 8422 Spicewood Springs Road being re-zoned from Residential to Commercial. We have several objections:

- Although this property's frontage is on Spicewood Springs Road, it also sits at the corner where our residential neighborhood starts. The owner has already knocked out a section of curb to establish a driveway on Spicewood Springs Cove, a short, narrow residential street within our neighborhood. Our neighborhood's streets were not designed to host commercial traffic nor would it be safe for the children bicycling and playing on the streets.
- The owner previously ran his business out of this house before the city's code enforcement division forced him to move. During that time, employee and customer parking on Spicewood Springs Cove left the street too narrow for two-way traffic. Even worse, school buses often struggled to navigate through the crowd of parked cars. Clearly, vehicles parked here would also be an impediment to emergency vehicles trying to navigate through our neighborhood.
- We doubt that the owner is motivated by good faith or good intentions since he has already started operating a business out of this house in violation of city code. He has also destroyed city property (the curb) without first obtaining a permit and he has left the curb-cut unrepaired. This has allowed gravel, rock and dirt to wash out into our streets and storm sewers. Further, even while the business was in operation, the grass was left unmowed, litter was strewn on the property and a large, unsightly, hand-painted sign was erected on the property. He has shown us that he is neither a good steward of this property nor is he conscientious of his neighbors.
- Canyon Vista Middle School is on the opposite side of Spicewood Springs Road from this property and this part of the road is a School Zone. It is a dangerous idea to re-zone a single-family residential property fronting a School Zone to a high-traffic commercial property with almost 20 employees and substantial customer traffic.
- This is a business that will have traffic running through our neighborhood's streets seven days a week, including evening hours.
- There are numerous locations and properties very nearby that are already zoned for commercial or mixed-use (Research, Jollyville, Pond Springs, McNeil, etc.)

Please recommend that the City Council **not** approve the zoning change for this property. It would be detrimental to our neighborhood, our environment and the safety of our children and residents.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregg Geil Carolyn Geil", written in a cursive style.

Sherri Sirwaitis
Senior Planner, City of Austin
505 Barton Springs Rd. Suite #525
Austin, TX
78704

From:
Tom Thomas
8321 Pommel Dr.
Austin, TX
78759
(512) 336-1593 (home)
(512) 314-0515 (work)

September 9, 2007

RE: Case Number C14-2007-0156

To Whom It May Concern,

I am writing to inform you that my family is extremely opposed to the proposed re-zoning of 8422 Spicewood Springs Road (Case Number C14-2007-0156). Our family home is within 300 feet of the proposed business location. We have a number of objections to the proposed re-zoning detailed below. I am requesting that you not recommend re-zoning for this property to the City Council.

Our concerns:

- 1) We have a small child and believe the business will draw additional traffic in the neighborhood area. The additional traffic will make it significantly more dangerous for us to walk to the playing fields and pool adjacent to Canyon Vista Middle School as well as nearby Tanglewood (City of Austin) park.
- 2) We are concerned with the aesthetic impact of this business on our quiet residential neighborhood. Our understanding is that the owners intend to build a parking lot on the property which will detract from the family environment of the Ridge at Balcones neighborhood.
- 3) We are concerned that the business owners have displayed little regard for observing city statutes and this leads us to question whether they would be good neighbors. For example, the business owners were apparently conducting business at the location in April and May 2007 even though the lot was zoned as Single-Family Residential. Additionally, the business owners ripped up part of the curb on Spicewood Springs Cove. To my knowledge this was done without approval from the City of Austin or from the Ridge at Balcones Neighborhood Association.
- 4) In addition, there seems to be plenty of available office space within close proximity to this location which would not require re-zoning in a family neighborhood.

If necessary, we would be happy to talk with someone in person and show them the proximity of the proposed business to our neighborhood and the nearby parks, pool, and school.

Thank you for your consideration.

Sincerely,
Tom Thomas

Tom Thomas

.....

Sirwaitis, Sherri

From: Allison G Pasternak [REDACTED]
Sent: Monday, September 10, 2007 10:27 PM
To: Sirwaitis, Sherri
Subject: rezoning #C14-2007-0156 at 8422 Spicewood Springs Rd

Dear Sherri,

We are writing to express objection to rezoning the property at 8422 Spicewood Springs Road ("the property"). We live in the neighborhood, the Ridge at Balcones, adjacent to the property applying for rezoning. We strongly believe the rezoning request should NOT BE RECOMMENDED to the City Council.

The following points clearly outline why rezoning should be denied.

This is a quiet residential neighborhood. The businesses nearby (small engineering company and small dentist office) have been here prior to most of the homes. Most homes in the neighborhood have been here for 20+ years. Others have been built within the past 10 years. No new businesses have moved into the area in that time. New residences fit in the neighborhood. New businesses do not. A new business would be an anomaly.

The property owner has not demonstrated that his or her business practices will be in-line with neighboring residences and businesses. Specifically, the property owner operated their business without a permit during April and May 2007. The property owner removed street curb without a permit to create a driveway. The property owner has had inadequate parking for customers forcing customers to park in our neighborhood. The property owner plans to operate their business seven days per week, including evenings. The two nearby businesses operate five days per week during normal business hours. These businesses have not blatantly defied city regulations causing area residents to file complaints (ie. removing curb in our neighborhood).

Children walk and ride bikes to the middle school across the street from the property. The business the property owner intends to operate at this location will increase traffic on the street between the middle school and our neighborhood. It will also increase traffic within our neighborhood. Please do not approve this rezoning request and endanger our neighborhood children.

Again, the rezoning request should not be recommended to the City Council.

Sincerely,
Kevin and Allison Pasternak
8309 Saber Creek Trail
Austin, TX 78759

9/11/2007

9-5-07

Mr. Sirwaitis,

This is concerning the Property
8422 Spicewood Springs Road

AUSTIN, TX. 78759

has been brought to my attention
the owner has filed for rezoning
property to a multistore.

(res + residential)
I would like you to know the
reason why I think this would
be a bad idea.

This property was open for business
a short time during the school
last year and we (the neighborhood)
felt that the school bus had a lot
of help getting in & out of the area with
additional cars being parked on the
street in front of the school (Sarinas Road)

2.) The businesses being proposed for the
building/home will have weekend &
nighttime hours.

3.) Emergency vehicles will be hindered from
entering the neighborhood at that entrance.

4.) It's located right at the beginning of
a school zone (Canyon Vista Middle School)
and the increase in traffic could be
detrimental to our children.

I'm sure there are other considerations
for not rezoning this building from
residential only to mixed use. It is
not considered in our neighborhood, but
is next door to one home in our area.

Also, I would like to request that
someone drive by to take a look at the
home, so that you can see the proximity
of the school & our neighborhood.

Thank you

Joy T. Moneyhon
8304 Spicewood Springs Cove
Austin, Texas 78759

September 6, 2007

Case: C14-2007-0156

Sherri Sirwaitis
City of Austin
Neighborhood Planning and Zoning Department
P.O. Box 1088
Austin, Texas 78767-1088

Dear Ms. Sirwaitis,

Your department sent me "Notice of Filing of Application for a Public Hearing on Rezoning" dated September 4, 2007, regarding the property located at 8422 Spicewood Springs Road within zip code 78759. The property is located at the corner of Spicewood Springs Road and Spicewood Springs Cove. Your notice advises of a proposed zoning change from "SF-2" to "LO-MU".

Please be advised that I am **adamantly opposed** to this proposed zoning change from the current residential status to mixed use.

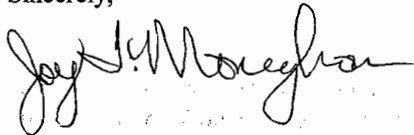
My private residence at 8304 Spicewood Springs Cove is indeed located within 300 feet of the property – actually less than 200 feet. Of greatest concern is the anticipated increase in traffic, especially in such close proximity to Canyon Vista Middle School. Traffic at that corner is very bad already and will become dangerous. Furthermore, my residence is located on a cul-de-sac. Curbside parking is inadequate even for the current residents. This situation is exacerbated by the width of our short residential street – particularly in the area of the property in question. It is difficult for the school bus to negotiate that corner with any vehicles parked on either side, and almost impossible with vehicles parked on both sides of Spicewood Springs Cove. Think for a moment how difficult it will be for any emergency vehicle to get through that narrow passage. I urge you to view Spicewood Springs Cove yourself to appreciate this situation.

I am also very concerned about the impact of the proposed rezoning on our delicate watershed. (I, for one, no longer use chemicals to fertilize my lawn and have planted 3 native saplings.) No doubt trees will be cleared if the rezoning succeeds, making Austin less green and creating even more runoff.

Please seriously consider rejection of the proposed rezoning.

Thank you for your attention to this matter.

Sincerely,



Joy T. Moneyhon

Cc: Forrest Ballou, President, Ridge at Balcones Neighborhood Association

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0156

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

October 2, 2007 Zoning and Platting Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

WANNIE CHAN
Your Name (please print)

8318 Pommel Drive
Your address(es) affected by this application

[Signature]
Signature

Sept 20, 07
Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810